

**REMARKS**

Summary of the Office Action - Status of the claims

Claims 1-4 are pending in the Office Action.

Claims 1-4 are rejected under 35 U.S.C. § 103(a).

Applicants' Response

In this response, Applicants amend claims 1 and 2 without prejudice and address the Examiner's rejections. Support for the amendments can be found, e.g., in paragraph 0026 of the present Application. Applicants' silence with regard to the Examiner's rejections of the dependent claims constitutes a recognition by the Applicant that the rejections are moot based on Applicants' Remarks relative to the independent claim from which the dependent claims depend. Applicants respectfully traverse all rejections of record.

Rejections under 35 U.S.C. § 102(e)

Claims 1-4 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,578,015 to Haseltine et al. ("Haseltine").

Applicants' amended independent claim 1 is directed towards a method for electronically routing billing information over a communications network using an open financial exchange communication protocol. Among other things, claim 1 as amended provides a "centrally located switching system which allows for server to server, file to server, server to file and file to file connectivity, in part through the use of a file distribution agent, coupled to said bill payment and presentment system for coordinating the routing of messages between said customer service

providers and biller service providers.” Haseltine neither discloses nor suggests these features of claim 1.

As described in the Specification, prior art switching systems do not allow for server to server, file to server, server to file and file to file connectivity. (See Specification, paragraph 0026). The Examiner takes the position that the translator described in Haseltine corresponds to a switching system as described in claim 1. (See Office Action, page 3). Assuming *arguendo* that the database in Haseltine does suggest a switching system, Haseltine does not describe a switching system that allows for the type of connectivity recited in claim 1. Instead, Haseltine describes that the format of bill data is converted into an appropriate format for storage and that customers can view data through an internet browser or email software. Haseltine does not mention connectivity types at all. (See Haseltine, col. 11, lines 40-46). Logging onto a website and viewing data over the internet as described in Haseltine does not disclose or suggest a centrally located switching system which allows for server to server, file to server, server to file and file to file connectivity, in part through the use of a file distribution agent as recited in claim 1.

Further, as previously noted, Haseltine does not describe a switching system as recited in claim 1 at all. Claim 1 recites, “providing a centrally located switching system...coupled to said bill payment and presentment *system for coordinating the routing of messages between said customer service providers and biller service providers.*” (Emphasis added). In the system of Haseltine, however, “[o]nce the bill data **402** and/or the bill format data **404** loaded into the staging area **420** has been validated, it may be swapped into a portion of the active area **430** of the database **400** through a workflow process that swaps database partitions...According to an embodiment of the present invention, the partitioning process may be carried out according to

the parameters set out, for example, in chapter 8 of *Oracle 8 Server Concepts*.” (Haseltine, col. 5 line 54- col. 6 line 2, emphasis in original) Swapping database entries through a workflow process as described in Haseltine is not the same as “providing a centrally located switching system...for coordinating the routing of messages” as recited in claim 1. Additionally, the Examiner refers to col. 11, lines 1-21 and 40-46 as allegedly anticipating the switching system recited in claim 1. In those passages, Haseltine describes a “thin consolidator” that maintains a link that customers can use to view billing data and a translator that converts data into a format appropriate for database storage. (See Haseltine, col. 11, lines 1-21, 40-46). Maintaining a customer link to access data and translating data formats as described in Haseltine does not disclose or suggest a switching system that coordinates the routing of messages as recited in claim 1.

The method described in claim 1 also recites mainframe application files comprising “messages between said customer service providers and biller service providers; generating at said customer service provider or at said biller service provider mainframe application files comprising said messages; forwarding said mainframe application files in batch mode to said centrally located mainframe system.” Haseltine does not disclose or suggest mainframe application files comprising messages between biller service providers and customer service providers as recited in claim 1. Instead, Haseltine describes, “[a] plurality of customers may be registered simultaneously into the bill presentment and payment database in a batch mode by loading XML or OFX-formatted customer data into the first area via Hypertext Transfer Protocol (http) or by file transfer, via File Transfer Protocol (ftp).” (Haseltine, col. 3, lines 53-58) Although Haseltine describes the use of a batch mode, it does not disclose or suggest the use of mainframe application files as recited in claim 1. Instead, a batch mode is used for registering

customers by loading formatted *customer data* into a database as described above. As the specification of the present application explains regarding current systems, “[t]he present systems are still flawed due to their inability to utilize all information available and *in particular mainframe application files in batch mode*.” (Specification, paragraph 0010) Loading *customer data* into a *database* is not the same as “forwarding said *mainframe application files* in batch mode to said *centrally located mainframe system*” as recited in claim 1. Throughout the specification, Haseltine describes the use of customer data and bill format data and loading the data into a database. (See, e.g., Haseltine, col. 5, lines 37-60). It is well known that simple database entries are not the same as mainframe application files as recited in claim 1.

Accordingly, because Haseltine fails to disclose or suggest several limitations of claim 1, Applicants respectfully submit that independent claim 1 should be allowed. Claims 2-3 depend from claim 1 and should be allowed for at least these same reasons.

Claim 4 recites, *inter alia*:

converting at said switching system said mainframe application files into Internet accessible addresses for delivery of said messages to said intended recipients over said public lines.

These features of claim 4 are similar to features of claim 1 as discussed above.

Therefore, claim 4 should be allowed for at least the same reasons discussed above with respect to claim 1.

**CONCLUSION**

In view of the foregoing remarks, favorable consideration and allowance of claims 1-4, all pending claims, are respectfully solicited. Applicants hereby authorize the Commissioner to charge payment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 02-4377. In the event that the application is not deemed in condition for allowance, the Examiner is invited to contact the undersigned in an effort to advance the prosecution of this application.

Respectfully submitted,



---

Robert C. Scheinfeld  
Patent Office Reg. No. 31,300  
(212) 408-2512

Robert L. Maier  
Patent Office Reg. No. 54,291  
(212) 408-2538

*Attorneys for Applicants*

BAKER BOTTS, L.L.P.  
30 Rockefeller Plaza  
New York, New York 10112-4498